

**E2SSB 6696** - H AMD TO WAYS COMM AMD (H-5458.2/10) **1403**

By Representative Ericksen

FAILED 3/05/2010

1 On page 5, line 32 of the striking amendment, after "models."  
2 insert "School districts are encouraged to implement an innovation  
3 school as provided in sections 402 through 409 of this act in a  
4 persistently lowest-achieving school, as long as the innovation school  
5 plan under section 404 of this act also meets requirements of a  
6 federal intervention model."  
7

8 On page 34, after line 5 of the striking amendment, insert the  
9 following:  
10

11 "NEW SECTION. **Sec. 402.** (1) The legislature finds that:

12 (a) To further the goals of high quality public education  
13 throughout the state, each school district board of directors should  
14 have the authority to grant public schools of the district the maximum  
15 degree of flexibility possible to meet the needs of individual  
16 students and the communities in which they live; and

17 (b) Particularly in schools and communities that are struggling  
18 to improve student academic outcomes and close the achievement gap  
19 among groups of students, there is a critical need for innovative  
20 models of public education that are tailored to the unique  
21 circumstances and needs of the students in those schools and  
22 communities and implement evidence-based practices proven to be  
23 effective in reducing demographic disparities in student achievement.

24 (2) Therefore, the legislature intends to:

25 (a) Grant school districts and public schools greater ability to  
26 meet the educational needs of a diverse student population;  
27

1 (b) Improve educational performance through greater individual  
2 school autonomy and managerial flexibility;

3 (c) Encourage innovation in education by providing local school  
4 communities and principals with greater control over levels of  
5 staffing, personnel selection and evaluation, scheduling, and  
6 educational programming with the goal of improving student achievement  
7 and closing the achievement gap; and

8 (d) Hold public schools that receive greater autonomy under this  
9 chapter accountable for student academic achievement as measured by  
10 the statewide assessments of student learning and other accountability  
11 measures.

12 (3) The legislature encourages school districts identified for  
13 required action under section 103 of this act to establish innovation  
14 schools as an intervention model under section 105 of this act in any  
15 persistently lowest-performing schools identified in the district.

16  
17 NEW SECTION. **Sec. 403.** Any school district board of directors  
18 may establish one or more innovation schools or innovation school  
19 zones within the district as provided in this section.

20 (1)(a) Any public school within a school district may submit to  
21 the board of directors of the district an innovation school plan as  
22 described under section 404 of this act. A group of public schools  
23 within a school district that share common interests, such as  
24 geographical location or educational focus, or that sequentially serve  
25 classes of students as they progress through elementary and secondary  
26 education may jointly submit to the board of directors of the district  
27 a plan to create an innovation school zone as described under section  
28 404 of this act. An innovation school zone may include all public  
29 schools within a school district.

30 (b) A school district board of directors that receives an  
31 innovation school plan or innovation school zone plan shall either  
32 approve or disapprove the plan within sixty days of receiving the  
33 plan. If the board of directors rejects the plan, the board must  
34 provide a written explanation of the reasons for the rejection. The

1 public school or group of public schools may resubmit an amended plan  
2 any time after a plan is rejected.

3 (2) Any school district board of directors may initiate and  
4 collaborate with one or more public schools in the district to create  
5 one or more innovation schools through an innovation school plan or  
6 one or more innovation school zones through an innovation school zone  
7 plan. In creating an innovation school plan or an innovation school  
8 zone plan, the board of directors must ensure that each public school  
9 affected by the plan has substantial opportunity to participate in  
10 development of the plan.

11 (3) If a school district board of directors approves or creates an  
12 innovation school or an innovation school zone within the district,  
13 the board of directors may seek designation of the district as an  
14 innovation school district under section 406 of this act.

15  
16 NEW SECTION. **Sec. 404.** (1) An innovation school plan shall  
17 include the following information:

18 (a) A statement of the mission of the public school and why  
19 designation as an innovation school would enhance the ability of the  
20 school to achieve its mission;

21 (b) A description of the innovations to be implemented by the  
22 public school, which may include but are not limited to innovations in  
23 school staffing, curriculum and assessment, class scheduling, use of  
24 financial and other resources, and recruitment, employment,  
25 evaluation, and compensation of school employees;

26 (c) A listing of the programs, policies, or other operational  
27 aspects of the public school that would be affected by the innovations  
28 identified in the plan and the manner in which they would be affected,  
29 including but not limited to:

30 (i) The research-based educational program to be implemented by  
31 the school;

32 (ii) Unique learning opportunities for students to be implemented  
33 by the school;

34

1 (iii) The student promotion and graduation policies to be  
2 implemented at the school;

3 (iv) The student assessment plan at the school;

4 (v) The length of school day and school year at the school;

5 (vi) The proposed budget for the school; and

6 (vii) The proposed staffing plan for the school;

7 (d) Identification of the improvements in academic performance  
8 that the public school expects to achieve in implementing the  
9 innovations;

10 (e) A statement of the level of support for designation as an  
11 innovation school demonstrated by the personnel employed at the  
12 school, the students and parents of students enrolled in the school,  
13 and the community surrounding the school;

14 (f) An estimate of the cost savings and increased efficiencies, if  
15 any, the public school expects to achieve in implementing the  
16 identified innovations;

17 (g) A listing and description of any waivers of state rules or  
18 laws and state or school district policies that are necessary for the  
19 public school to implement the identified innovations and why the  
20 waivers are necessary; and

21 (h) Any additional information required by the school district  
22 board of directors to be included in an innovation school plan.

23 (2) An innovation school zone plan must include all of the  
24 information under subsection (1) of this section, plus the following  
25 additional information:

26 (a) A description of how innovations in the public schools within  
27 the innovation school zone would be integrated to achieve results that  
28 would be less likely to be accomplished by each school working alone;

29 (b) An estimate of any economies of scale that would be achieved  
30 by innovations implemented jointly by the public schools within the  
31 innovation school zone; and

32 (c) A statement of the level of support for creating an innovation  
33 school zone demonstrated by the personnel employed at each public  
34 school that would be included in the zone, the students and parents of

1 students enrolled in each of the schools, and the community  
2 surrounding the innovation school zone. In determining the level of  
3 support, each public school shall specifically solicit input  
4 concerning the selection of schools included in the innovation school  
5 zone and the strategies and procedures that would be used in  
6 implementing and integrating the innovations within the schools in the  
7 zone.

8 (3) In considering or creating an innovation school plan or an  
9 innovation school zone plan, each public school involved in the plan  
10 and each school district board of directors is strongly encouraged to  
11 consider innovations in the following areas:

12 (a) Curriculum and assessments;

13 (b) Expanded accountability measures, including the use of a  
14 variety of accountability measures to more accurately present a  
15 complete measure of student learning and accomplishment, such as:

16 (i) Use of graduation or exit examinations, end-of-course  
17 examinations, student portfolio reviews, or national and international  
18 accountability measures;

19 (ii) Measuring the percentage of students continuing on to  
20 postsecondary education; and

21 (iii) Measuring the percentage of students concurrently obtaining  
22 a high school diploma and an associate degree or career and technical  
23 education certificate;

24 (c) Provision of services, including special education services,  
25 services for highly capable students, services for English language  
26 learner students, and educational and support services for students at  
27 risk of academic failure, suspension, or expulsion;

28 (d) Implementation of programs, services, and strategies  
29 specifically intended to close the achievement gap and increase  
30 graduation rates across all groups of students in the school;

31 (e) Teacher recruitment, training, and professional development;

32 (f) Employment and assignment policies;

33 (g) Performance expectations and evaluation procedures for  
34 teachers and principals;

1 (h) Compensation for teachers, principals, and other school  
2 building personnel, including but not limited to performance-based  
3 pay, total compensation plans, and other innovations;

4 (i) School governance and the roles, responsibilities, and  
5 expectations of principals in innovation schools or schools in an  
6 innovation school zone;

7 (j) School-based budgeting, hiring and assignment of school staff,  
8 and other management responsibilities; and

9 (k) Preparation and counseling of students for transition to  
10 postsecondary education and employment.

11  
12 NEW SECTION. **Sec. 405.** Each school district board of directors  
13 is authorized and encouraged to seek and accept public and private  
14 gifts, grants, and donations to offset the costs of developing and  
15 implementing innovation school plans and innovation school zone plans.  
16

17 NEW SECTION. **Sec. 406.** A school district board of directors that  
18 has approved or created an innovation school or an innovation school  
19 zone under section 403 of this act may seek designation by the state  
20 board of education as an innovation school district under this  
21 section.

22 (1) A school district board of directors that seeks designation as  
23 an innovation school district shall submit its innovation school plans  
24 or innovation school zone plans to the state board of education and  
25 the superintendent of public instruction for review and comment.  
26 Within sixty days after receiving such a plan, the state board of  
27 education and the superintendent of public instruction shall respond  
28 to the school district board of directors with any suggested changes  
29 or additions to the plan, including suggestions for further  
30 innovations or measures to increase the likelihood that the  
31 innovations will result in greater academic achievement within the  
32 innovation schools or innovation school zones. Based on the comments  
33 of the state board of education and the superintendent of public  
34

1 instruction, a school district board of directors may withdraw and  
2 resubmit the innovation school plan or innovation school zone plan.

3 (2) Within ten days of providing comment on an innovation school  
4 plan or innovation school zone plan under subsection (1) of this  
5 section, unless the school district board of directors withdraws the  
6 plan for purposes of revision, the state board of education shall  
7 designate the school district as an innovation school district unless  
8 the state board concludes that the plan:

9 (a) Is likely to result in a decrease in academic achievement in  
10 the innovation school or innovation school zone;

11 (b) Is not financially feasible to implement; or

12 (c) Would violate state or federal laws or rules that are not  
13 authorized to be waived under section 407 or 408 of this act.

14 (3) If the state board of education does not designate a school  
15 district as an innovation school district, the board shall provide a  
16 written explanation of the basis for the rejection to the school  
17 district board of directors. The school district board of directors  
18 may resubmit a revised innovation school plan or innovation school  
19 zone plan and seek designation as an innovation school district at any  
20 time after the designation is rejected.

21  
22 NEW SECTION. **Sec. 407.** The superintendent of public instruction  
23 and the state board of education, within the scope of their statutory  
24 authority, shall waive the application of rules, policies, and  
25 procedures for an innovation school district designated under section  
26 406 of this act to the extent the waiver of the rules, policies, and  
27 procedures are included in an approved innovation school plan or  
28 innovation school zone plan. The superintendent of public instruction  
29 and the state board of education shall not waive rules, policies, and  
30 procedures that jeopardize the receipt of state or federal funds that  
31 the innovation school district would otherwise be eligible to receive  
32 unless the innovation school district submits a written authorization  
33 for the waiver acknowledging that receipt of these funds could be  
34 jeopardized. A waiver of rules, policies, and procedures under this

1 section applies only to the approved innovation schools or innovation  
2 school zones in the designated innovation school district and only as  
3 specified in the approved plan.

4  
5 NEW SECTION. **Sec. 408.** (1) The superintendent of public  
6 instruction shall waive the statutory requirements and any related  
7 rules of the chapters of law specified under this section for an  
8 innovation school district designated under section 406 of this act to  
9 the extent the waiver is included in an approved innovation school  
10 plan or innovation school zone plan. A waiver of statutory  
11 requirements and any related rules under this section applies only to  
12 the approved innovation schools or innovation school zones in the  
13 designated innovation school district and only as specified in the  
14 approved plan.

15 (2) The following laws are subject to waiver under this section,  
16 except as provided under subsection (3) of this section:

- 17 (a) Chapter 28A.150 RCW, general provisions;
- 18 (b) Chapter 28A.165 RCW, learning assistance program;
- 19 (c) Chapter 28A.170 RCW, substance abuse awareness program;
- 20 (d) Chapter 28A.175 RCW, dropout prevention, intervention, and  
21 retrieval system;
- 22 (e) Chapter 28A.180 RCW, transitional bilingual instruction  
23 program;
- 24 (f) Chapter 28A.185 RCW, highly capable students;
- 25 (g) Chapter 28A.210 RCW, health screening and requirements;
- 26 (h) Chapter 28A.215 RCW, early childhood, preschools, and before-  
27 and-after school care;
- 28 (i) Chapter 28A.220 RCW, traffic safety;
- 29 (j) Chapter 28A.225 RCW, compulsory school attendance and  
30 admission;
- 31 (k) Chapter 28A.230 RCW, compulsory course work and activities;
- 32 (l) Chapter 28A.245 RCW, skill centers;
- 33 (m) Chapter 28A.250 RCW, online learning;
- 34 (n) Chapter 28A.300 RCW, superintendent of public instruction;

- 1 (o) Chapter 28A.320 RCW, provisions applicable to all districts;  
2 (p) Chapter 28A.400 RCW, employees;  
3 (q) Chapter 28A.405 RCW, certificated employees;  
4 (r) Chapter 28A.410 RCW, certification;  
5 (s) Chapter 28A.600 RCW, students;  
6 (t) Chapter 28A.620 RCW, community education programs;  
7 (u) Chapter 28A.650 RCW, education technology; and  
8 (v) Chapter 28A.700 RCW, secondary career and technical education.  
9 (3) The following laws may not be waived:  
10 (a) State and federal laws and regulations pertaining to health,  
11 safety, civil rights, privacy, and nondiscrimination;  
12 (b) The provisions of the basic education act relating to the  
13 basic education goals under RCW 28A.150.210 and funding allocations,  
14 formulas, and definitions under RCW 28A.150.250, 28A.150.260,  
15 28A.150.390, and 28A.150.392, except for waivers provided in  
16 accordance with RCW 28A.150.250;  
17 (c) Laws regarding financial examinations and audits as determined  
18 by the state auditor and the office of the superintendent of public  
19 instruction, including audits for legal and fiscal compliance;  
20 (d) Laws pertaining to the election of school district boards of  
21 directors and to the organization and reorganization of school  
22 districts;  
23 (e) Employee background and record check requirements under RCW  
24 28A.400.301 and 28A.400.303 and mandatory termination for crimes  
25 against children under RCW 28A.400.320 through 28A.400.330; and  
26 (f) All other applicable laws and rules not specifically waived  
27 under subsection (2) of this section or section 407 of this act.  
28

29 NEW SECTION. **Sec. 409.** (1) An innovation school district  
30 designated under section 406 of this act shall permit but not require  
31 employees assigned to an innovation school or a school within an  
32 innovation school zone to elect to be removed from collective  
33 bargaining units and collective bargaining agreements as provided  
34 under sections 410 and 411 of this act.

1 (2) If the employees assigned to a school within an innovation  
2 school zone do not elect to be removed from the collective bargaining  
3 unit, the school district board of directors may revise the innovation  
4 school zone plan to remove that school from the innovation school zone  
5 plan.

6 (3) Any employee who is assigned to an innovation school or a  
7 school within an innovation school zone may request a transfer to  
8 another school within the school district. The superintendent and  
9 school district board of directors shall make every reasonable effort  
10 to accommodate the employee's request for a transfer.

11  
12 NEW SECTION. **Sec. 410.** A new section is added to chapter 41.56  
13 RCW to read as follows:

14 (1) Any collective bargaining agreement entered into, extended,  
15 amended, or renewed after the effective date of this section between a  
16 school district employer and employees under this chapter must contain  
17 a provision that allows employees of an innovation school district  
18 designated under section 406 of this act who are assigned to an  
19 innovation school or a school within an innovation school zone to  
20 elect to be removed from the bargaining unit and the collective  
21 bargaining agreement as provided under this section.

22 (2) Employees assigned to an innovation school or a school within  
23 an innovation school zone may elect, by means of a secret ballot  
24 approved by a majority of the employees under this chapter assigned to  
25 the school, to be removed from their bargaining unit and collective  
26 bargaining agreement. In the case of schools within an innovation  
27 school zone, the election shall be conducted separately for each  
28 school within the zone.

29 (3) Removal of employees of an innovation school or a school  
30 within an innovation school zone from bargaining units and collective  
31 bargaining agreements under this section shall continue so long as the  
32 school remains an innovation school or within an innovation school  
33 zone.

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1        NEW SECTION.    **Sec. 413.**    A new section is added to chapter 28A.165  
2 RCW to read as follows:

3        An innovation school district designated under section 406 of this  
4 act shall be subject to the requirements of this chapter and related  
5 rules unless a waiver is included in an approved innovation school  
6 plan or innovation school zone plan of the district.    A waiver as  
7 provided under section 407 or 408 of this act from the requirements of  
8 this chapter and related rules applies only to the approved innovation  
9 schools or innovation school zones in the designated innovation school  
10 district and only as specified in the approved plan.

11  
12        NEW SECTION.    **Sec. 414.**    A new section is added to chapter 28A.170  
13 RCW to read as follows:

14        An innovation school district designated under section 406 of this  
15 act shall be subject to the requirements of this chapter and related  
16 rules unless a waiver is included in an approved innovation school  
17 plan or innovation school zone plan of the district.    A waiver as  
18 provided under section 407 or 408 of this act from the requirements of  
19 this chapter and related rules applies only to the approved innovation  
20 schools or innovation school zones in the designated innovation school  
21 district and only as specified in the approved plan.

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23        NEW SECTION.    **Sec. 415.**    A new section is added to chapter 28A.175  
24 RCW to read as follows:

25        An innovation school district designated under section 406 of this  
26 act shall be subject to the requirements of this chapter and related  
27 rules unless a waiver is included in an approved innovation school  
28 plan or innovation school zone plan of the district.    A waiver as  
29 provided under section 407 or 408 of this act from the requirements of  
30 this chapter and related rules applies only to the approved innovation  
31 schools or innovation school zones in the designated innovation school  
32 district and only as specified in the approved plan.

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1        NEW SECTION.    **Sec. 416.**    A new section is added to chapter 28A.180  
2 RCW to read as follows:

3        An innovation school district designated under section 406 of this  
4 act shall be subject to the requirements of this chapter and related  
5 rules unless a waiver is included in an approved innovation school  
6 plan or innovation school zone plan of the district.    A waiver as  
7 provided under section 407 or 408 of this act from the requirements of  
8 this chapter and related rules applies only to the approved innovation  
9 schools or innovation school zones in the designated innovation school  
10 district and only as specified in the approved plan.

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12        NEW SECTION.    **Sec. 417.**    A new section is added to chapter 28A.185  
13 RCW to read as follows:

14        An innovation school district designated under section 406 of this  
15 act shall be subject to the requirements of this chapter and related  
16 rules unless a waiver is included in an approved innovation school  
17 plan or innovation school zone plan of the district.    A waiver as  
18 provided under section 407 or 408 of this act from the requirements of  
19 this chapter and related rules applies only to the approved innovation  
20 schools or innovation school zones in the designated innovation school  
21 district and only as specified in the approved plan.

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23        NEW SECTION.    **Sec. 418.**    A new section is added to chapter 28A.210  
24 RCW to read as follows:

25        An innovation school district designated under section 406 of this  
26 act shall be subject to the requirements of this chapter and related  
27 rules unless a waiver is included in an approved innovation school  
28 plan or innovation school zone plan of the district.    A waiver as  
29 provided under section 407 or 408 of this act from the requirements of  
30 this chapter and related rules applies only to the approved innovation  
31 schools or innovation school zones in the designated innovation school  
32 district and only as specified in the approved plan.

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1        NEW SECTION.    **Sec. 419.**    A new section is added to chapter 28A.215  
2 RCW to read as follows:

3        An innovation school district designated under section 406 of this  
4 act shall be subject to the requirements of this chapter and related  
5 rules unless a waiver is included in an approved innovation school  
6 plan or innovation school zone plan of the district.    A waiver as  
7 provided under section 407 or 408 of this act from the requirements of  
8 this chapter and related rules applies only to the approved innovation  
9 schools or innovation school zones in the designated innovation school  
10 district and only as specified in the approved plan.

11  
12        NEW SECTION.    **Sec. 420.**    A new section is added to chapter 28A.220  
13 RCW to read as follows:

14        An innovation school district designated under section 406 of this  
15 act shall be subject to the requirements of this chapter and related  
16 rules unless a waiver is included in an approved innovation school  
17 plan or innovation school zone plan of the district.    A waiver as  
18 provided under section 407 or 408 of this act from the requirements of  
19 this chapter and related rules applies only to the approved innovation  
20 schools or innovation school zones in the designated innovation school  
21 district and only as specified in the approved plan.

22  
23        NEW SECTION.    **Sec. 421.**    A new section is added to chapter 28A.225  
24 RCW to read as follows:

25        An innovation school district designated under section 406 of this  
26 act shall be subject to the requirements of this chapter and related  
27 rules unless a waiver is included in an approved innovation school  
28 plan or innovation school zone plan of the district.    A waiver as  
29 provided under section 407 or 408 of this act from the requirements of  
30 this chapter and related rules applies only to the approved innovation  
31 schools or innovation school zones in the designated innovation school  
32 district and only as specified in the approved plan.

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1        NEW SECTION.    **Sec. 422.**    A new section is added to chapter 28A.230  
2 RCW to read as follows:

3        An innovation school district designated under section 406 of this  
4 act shall be subject to the requirements of this chapter and related  
5 rules unless a waiver is included in an approved innovation school  
6 plan or innovation school zone plan of the district.    A waiver as  
7 provided under section 407 or 408 of this act from the requirements of  
8 this chapter and related rules applies only to the approved innovation  
9 schools or innovation school zones in the designated innovation school  
10 district and only as specified in the approved plan.

11  
12        NEW SECTION.    **Sec. 423.**    A new section is added to chapter 28A.245  
13 RCW to read as follows:

14        An innovation school district designated under section 406 of this  
15 act shall be subject to the requirements of this chapter and related  
16 rules unless a waiver is included in an approved innovation school  
17 plan or innovation school zone plan of the district.    A waiver as  
18 provided under section 407 or 408 of this act from the requirements of  
19 this chapter and related rules applies only to the approved innovation  
20 schools or innovation school zones in the designated innovation school  
21 district and only as specified in the approved plan.

22  
23        NEW SECTION.    **Sec. 424.**    A new section is added to chapter 28A.250  
24 RCW to read as follows:

25        An innovation school district designated under section 406 of this  
26 act shall be subject to the requirements of this chapter and related  
27 rules unless a waiver is included in an approved innovation school  
28 plan or innovation school zone plan of the district.    A waiver as  
29 provided under section 407 or 408 of this act from the requirements of  
30 this chapter and related rules applies only to the approved innovation  
31 schools or innovation school zones in the designated innovation school  
32 district and only as specified in the approved plan.

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1        NEW SECTION.    **Sec. 425.**    A new section is added to chapter 28A.300  
2 RCW to read as follows:

3        An innovation school district designated under section 406 of this  
4 act shall be subject to the requirements of this chapter and related  
5 rules unless a waiver is included in an approved innovation school  
6 plan or innovation school zone plan of the district.    A waiver as  
7 provided under section 407 or 408 of this act from the requirements of  
8 this chapter and related rules applies only to the approved innovation  
9 schools or innovation school zones in the designated innovation school  
10 district and only as specified in the approved plan.

11  
12        NEW SECTION.    **Sec. 426.**    A new section is added to chapter 28A.320  
13 RCW to read as follows:

14        An innovation school district designated under section 406 of this  
15 act shall be subject to the requirements of this chapter and related  
16 rules unless a waiver is included in an approved innovation school  
17 plan or innovation school zone plan of the district.    A waiver as  
18 provided under section 407 or 408 of this act from the requirements of  
19 this chapter and related rules applies only to the approved innovation  
20 schools or innovation school zones in the designated innovation school  
21 district and only as specified in the approved plan.

22  
23        NEW SECTION.    **Sec. 427.**    A new section is added to chapter 28A.400  
24 RCW to read as follows:

25        An innovation school district designated under section 406 of this  
26 act shall be subject to the requirements of this chapter and related  
27 rules unless a waiver is included in an approved innovation school  
28 plan or innovation school zone plan of the district.    A waiver as  
29 provided under section 407 or 408 of this act from the requirements of  
30 this chapter and related rules applies only to the approved innovation  
31 schools or innovation school zones in the designated innovation school  
32 district and only as specified in the approved plan.

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1        NEW SECTION.    **Sec. 428.**    A new section is added to chapter 28A.405  
2 RCW to read as follows:

3        An innovation school district designated under section 406 of this  
4 act shall be subject to the requirements of this chapter and related  
5 rules unless a waiver is included in an approved innovation school  
6 plan or innovation school zone plan of the district.    A waiver as  
7 provided under section 407 or 408 of this act from the requirements of  
8 this chapter and related rules applies only to the approved innovation  
9 schools or innovation school zones in the designated innovation school  
10 district and only as specified in the approved plan.

11  
12        NEW SECTION.    **Sec. 429.**    A new section is added to chapter 28A.410  
13 RCW to read as follows:

14        An innovation school district designated under section 406 of this  
15 act shall be subject to the requirements of this chapter and related  
16 rules unless a waiver is included in an approved innovation school  
17 plan or innovation school zone plan of the district.    A waiver as  
18 provided under section 407 or 408 of this act from the requirements of  
19 this chapter and related rules applies only to the approved innovation  
20 schools or innovation school zones in the designated innovation school  
21 district and only as specified in the approved plan.

22  
23        NEW SECTION.    **Sec. 430.**    A new section is added to chapter 28A.600  
24 RCW to read as follows:

25        An innovation school district designated under section 406 of this  
26 act shall be subject to the requirements of this chapter and related  
27 rules unless a waiver is included in an approved innovation school  
28 plan or innovation school zone plan of the district.    A waiver as  
29 provided under section 407 or 408 of this act from the requirements of  
30 this chapter and related rules applies only to the approved innovation  
31 schools or innovation school zones in the designated innovation school  
32 district and only as specified in the approved plan.

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1 On page 78, after line 29 of the striking amendment, insert the  
2 following:

3  
4 "NEW SECTION. **Sec. 1105.** If any part of this act is found to be  
5 in conflict with federal requirements that are a prescribed condition  
6 to the allocation of federal funds to the state, the conflicting part  
7 of this act is inoperative solely to the extent of the conflict and  
8 with respect to the agencies directly affected, and this finding does  
9 not affect the operation of the remainder of this act in its  
10 application to the agencies concerned. Rules adopted under this act  
11 must meet federal requirements that are a necessary condition to the  
12 receipt of federal funds by the state.

13  
14 NEW SECTION. **Sec. 1106.** If any provision of this act or its  
15 application to any person or circumstance is held invalid, the  
16 remainder of the act or the application of the provision to other  
17 persons or circumstances is not affected.

18  
19 NEW SECTION. **Sec. 1107.** Sections 402 through 409 of this act  
20 constitute a new chapter in Title 28A RCW."

21  
22 Renumber the remaining sections consecutively and correct any  
23 internal references accordingly.

24

**EFFECT:** Establishes a process for a local school board to create Innovation Schools or groups of schools called an Innovation School Zone. Encourages Required Action districts to implement Innovation Schools in their persistently lowest-performing schools, as long as the Innovation School Plan meets the requirements of a federal innovation model for receipt of federal school improvement funds.

- Outlines various elements of an Innovation School or School Zone plan, which include a list of any state laws or rules that the school wants to have waived in order to implement the plan.
- Once a plan is approved by the school board, authorizes the board to request designation by the State Board of Education as an Innovation School District.

- If the SBE approves the designation, requires the SPI and the SBE, within their statutory authority, to waive any rules or procedures that are included in an approved plan.
- Requires the SPI to waive any of a series of specified laws that are included in an approved plan, as long as the waivers only apply to the schools in the plan, and only to the extent the waiver is a part of the plan.
- Allows most of the key laws in the school code to be waived, including teacher evaluation and hiring laws, salaries, requirements to hire only certified staff, minimum hours of instruction and length of the school year, and others.
- Prohibits waiver of a number of laws: those pertaining to civil rights, health and safety; statewide assessments and accountability; allocations of state funding; school district budgeting and accounting; legal and financial audits; laws pertaining to school construction and bonds.

Provides that future collective bargaining agreements must contain a provision allowing the employees of an Innovation School or an Innovation School Zone to opt out of the collective bargaining agreement by a majority vote.

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